

Application No.: 09/913,934
Amendment dated: June 9, 2003
Reply to Office Action of: April 10, 2003

MAT-8173US

Remarks/Arguments:

By this Amendment, Applicants have amended claims 1 and 3. Claims 1, 3 and 4 are pending. Claims 2 and 5 have been withdrawn.

Election to Restriction Requirement

Applicants hereby affirm election to the invention of Group I, Claims 1 and 3-4. Claims 2 and 5 are withdrawn from consideration by the Examiner.

Objection to the Specification

At page 3 of the Office Action, the Examiner has objected to certain language in the Abstract. Following the Examiner's guidance, Applicants have amended the Abstract to overcome the basis for the Examiner's objection.

Claim Rejections Under Section 103

Claims 1, 3 and 4 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Sone in view of Strohmaier. By this Amendment, Applicants respectfully traverse the Section 103(a) rejection.

Claims 1 and 3 are independent claims with claim 4 dependent on claim 3.

Turning first to independent claim 1, it is directed to an electro-acoustic transducer and includes the following elements:

- a case molded integrally with a frame,
- a **heat curing and UV-curing adhesive layer on the frame,**
- a magnet bonded on said frame via the **heat-curing and UV-curing adhesive layer,**
- a diaphragm provided above said magnet.

It is Applicants' contention that the electro-acoustic transducer defined by claim 1 is patentably distinguished by the Sone and Strohmaier Patents at least based on the requirement that the adhesive is a heat-curing adhesive and a UV-curing adhesive. Neither of the cited references teach or suggest the requirement of

a heat-curing and UV-curing adhesive layer. In fact, Applicants will point out that the Strohmaier Patent actually teaches away from a heat-curing adhesive.

The Examiner readily admits at page 4 of the Office Action that the Sone Patent does not teach a "heat-curing and UV-curing adhesive layer." To rectify this deficiency, the Examiner relies on the Strohmaier Patent. Applicants, however, respectfully submit that the Strohmaier Patent does not overcome this deficiency of the Sone Patent.

The Strohmaier Patent relates in general to a miniature hearing aid to be worn at the head, and also discusses a corresponding manufacturing method. The hearing aid has a miniaturized amplifier unit. In addition, a highly shrinkable glue and/or a film that can be applied under pressure is used to fix the electrical components against a carrier part and also to hold them against contacting locations under contacting pressure.

More specifically, the Strohmaier Patent relates to a miniature hearing aid as shown in Figure 1. In Figure 1, Strohmaier shows electrical components 9, 9', 9'', and 9''' on a carrier part 8. The Strohmaier Patent goes on to describe at column 2, lines 3-34 that the electrical components are mechanically pressed against contact locations on the carrier part and are held on the carrier part by a "highly shrinkable glue." Moreover, Strohmaier states at line 34 of column 2 that the curing time for the highly shrinkable glue can be shortened by "ultraviolet irradiation." But Strohmaier also states at lines 30-32 that the curing/shrinking of the glue "does not require any additional thermal shrinking," and that the disadvantages involved with thermal shrinking are thereby avoided. The Strohmaier Patent further states at column 4, lines 19-27 that the highly shrinkable glue is a "quick-set glue or seconds-setting glue" and that the components are held to the carrier part "without soldering or heating as shown in Fig. 3." Thus it is clear from the Strohmaier Patent that the glue used therein is a glue which does not use heat curing. This is in sharp contrast to Applicants' claimed invention which calls for a "heat-curing and UV ray-curing adhesive layer" (emphasis added). Thus, the Strohmaier Patent, like the Sone Patent, simply does not teach this requirement of Applicants' claim 1.

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Applicants further submit that the Strohmaier Patent by its very disclosure actually "teaches away" from the heat-curing adhesive which is required in Applicants' claim 1. One skilled in the art reading the passages of the Strohmaier Patent noted above would not consider using a heat-curing adhesive because Strohmaier disparages the use of such adhesive. This is particularly so in view of the fact that Strohmaier specifically describes the "disadvantages involved with a thermal treatment" at column 2, lines 31-32 of the Strohmaier specification.

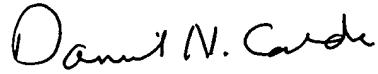
Based on the foregoing, Applicants respectfully submit that the electro-acoustic transducer of claim 1 is not taught or suggested by the Sone and Strohmaier Patents, either together or in combination.

Applicants have also amended independent claim 3 so that it too includes the heat-curing requirement. Therefore independent claim 3 and dependent claim 4 are likewise patentably distinguished from the Sone and Strohmaier Patents.

The withdrawal of the Section 103(a) rejection based on the Sone and Strohmaier Patents is requested.

In view of the foregoing remarks and amendments, Applicants respectfully submit that claims 1, 3 and 4 are in condition for allowance. Reconsideration and allowance of all pending claims are respectfully requested.

Respectfully submitted,



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DNS/ds
Attachments: Abstract

Dated: June 9, 2003

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